

State of California, State Water Resources Control Board

Division of Water Rights

P.O. Box 2000, Sacramento, CA 95812-2000

Info: (916) 341-5300, FAX: (916) 341-5400 Web: <http://waterrights.ca.gov>

S004608

2005, 2006, 2007

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE FORM

Owner(s) of Record:

BERTHA FISCHER; DEWEY FISCHER

Notifying the Division of Water Rights of ownership or address changes is the responsibility of the claimant

Please Complete and Return This Form by JULY 1, 2008

Primary Contact:

BERTHA FISCHER

8958 HWY 26

MOKELUMNE HILL, CA 95245

Agent:

Address:

Phone No.

Fax No.

E-mail Address: genekathy@yahoo.com

Phone No. 209-286-1378

Fax No.

E-mail Address:

Source Name: FOREST CREEK

Tributary To: Middle Fork Mokelumne River

County: Calaveras

Diversion within: SW 1/4 of NW 1/4 Section 35, T 7 N, R 14 E, MDB&M

Year of First Use: 1850

Name of Diversion works:

Assessor Parcel Number of the Diversion site: 004-007-006

A. **Water Is Used Under:** Riparian claim ☒ Pre-1914 claim ☐ Court Decree No.: Other (explain):

B. **Year of First Use:** (Please provide if missing in the Division of Rights database (ewrims)) 1850

C. **Rate of Diversion:** The rate of diversion of water for each month used and entered in the table below is shown in units of:
Gallons per minute (gpm) Gallons per day (gpd) Cubic feet per second (cfs) ☒ (Measured)

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Average Rate
2005						0.67	0.67	0.67	0.67				0.67
2006						0.67	0.67	0.67	0.67	0.67			0.67
2007						0.67	0.67	0.67	0.67	0.67			0.67

D. **Quantity of Water Used:** The quantity of water used each month and entered in the table below is shown in units of:
Gallons Million Gallons (MG) Acre-feet (AF) ☒ (Est)

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
2005						40	40	40	40				160
2006						40	40	40	40	20			180
2007					20	40	40	40	40	20			200

E. **Purpose of Use** - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation 40 +/- acres; Stockwatering 40-50/day; Domestic 4-6/day;
Other (specify)

Parcel Number(s) of Place of Use:

F. **Changes in Method of Diversion** - Describe any changes in your project since your previous statement was filed.
(New pump, enlarged diversion dam, location of diversion, etc.)

Same

G. Please answer only those questions below which are applicable to your project.

1. Conservation of water

a. Are you now employing water conservation efforts? YES ☐ NO ☒
Describe any water conservation efforts you have initiated:

b. If you are claiming credit for water conservation under section 1011 of the Water Code for your claimed pre-1914 appropriative right, please show the amount of water conserved:

Reduction in Diversions:

Year (AF/MG) Year (AF/MG) Year (AF/MG)

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS
SACRAMENTO
2008 JUL 11 PM 2:09

EWR/MS/em
7/9/09

Reduction in consumptive use:

Year _____ (AF/MG) Year _____ (AF/MG) Year _____ (AF/MG)

I have data to support the above surface water use reductions due to conservation efforts. YES _____ NO _____

2. Water quality and wastewater reclamation

a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES _____ NO ☒ (None Available)

b. If you are claiming credit due to the substitution of reclaimed water, desalinated water or polluted water in lieu of a claimed pre-1914 appropriative right under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of substitute water supply used:

Amount of reduced diversion:

Year _____ (AF/MG) Year _____ (AF/MG) Year _____ (AF/MG)

State the type of substitute water supply: _____

Amount of substitute water supply used:

Year _____ (AF/MG) Year _____ (AF/MG) Year _____ (AF/MG)

I have data to support the above surface water use reductions due to the use of a substitute water supply. YES _____ NO _____

3. Conjunctive use of surface water and groundwater

a. Are you now using groundwater in lieu of surface water? YES _____ NO ☒

b. If you are claiming credit due to the substitution of groundwater for a claimed pre-1914 appropriative right under section 1011.5 of the Water Code, please show the amounts of groundwater used:

Year _____ (AF/MG) Year _____ (AF/MG) Year _____ (AF/MG)

I have data to support the above surface water use reductions due to the use of groundwater. YES _____ NO _____

I understand that it may be necessary to document the water savings claimed in "F" above if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: June 20, 2008 at Mokelumne Hill, California

SIGNATURE: Eugene Weatherby, PCE 14774

PRINTED NAME: Eugene (first name) Weatherby (last name)

COMPANY NAME: Self Employed Consulting Civil Engineer

ITEM _____ If there is insufficient space for your answers, please use the space provided below or add an attachment sheet.
CONTINUATION

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, water previously stored by others, return flows from use of groundwater, or other "foreign" water to the natural stream system.

An appropriative right is required for use of water on non-riparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. After the formation of the California Water Commission back on December 19, 1914, new appropriators have been required to obtain a permit and license from the State. Appropriative rights can be granted to waters "foreign" to the natural stream system.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users as set forth in Water Code section 5100 with specific exceptions. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.



S004608%5%2001

1999, 2000, 2001

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

If the information below is inaccurate, please line it out in red and provide current information.
Notify this office if ownership or address changes occur during the coming year.

Please Complete and Return This Form by July 1, 2002.

*If the mail recipient's name, address or phone No. is wrong or missing, please correct.

Owner of Record: BERTHA FISCHER

PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING:

BERTHA FISCHER

8958 HWY 26

MOKELUMNE HILL, CA 95245

STATEMENT NO.: S004608
CONTACT PHONE NO.: (209)286-1378

FOR ONLINE REPORTING AT
www.waterrights.ca.gov

USER NAME: S004608
PASSWORD: C14956

Source Name: FOREST CREEK
Tributary To: MIDDLE FORK MOKELUMNE RIVER
County: Calaveras
Diversion Within: SW1/4 of NW1/4 Section 35, T04N, R14E, MB&M

Year of First Use: 1850
Parcel Number:

A. Water is used under: Riparian claim ☒ Pre 1914 right ☐ Other (explain):

B. Year of first use (Please provide if missing above) - 1850

C. Amount of Use - Enter the amount (or the approximate amount) of water used each month.

Amounts below are:															
				Gallons		Acre-feet		<input checked="" type="checkbox"/> Other							
Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual		
1999					10±	10±	40±	50±	40±				150±		
2000					15±	20±	30±	40±	40±				145±		
2001					5±	15±	30±	50±	40±				140±		

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation 40 +/- acres; Stockwatering 30-40; Domestic

Other (specify):

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

No change

F. Please answer only those questions below which are applicable to your project.

1. Conservation of water

a. Are you now employing water conservation efforts? YES ☐ NO ☒

Describe any water conservation efforts you have initiated:

b. If credit toward beneficial use of water under claimed pre 1914 appropriative water right for water not used due to a conservation effort is claimed under section 1011 of the Water Code, please show the amounts of water conserved:

Reductions in Diversions:

Not Applicable

yr (af/mg) yr (af/mg) yr (af/mg)

Reductions in consumptive use:

yr (af/mg) yr (af/mg) yr (af/mg)

I have data to support the above surface water use reductions due to conservation efforts. YES ☐ NO ☐

2. Water quality and wastewater reclamation

- a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES _____ NO X.
- b. If credit toward use under a claimed pre 1914 appropriative water right through substitution of reclaimed water, desalinated water or polluted water in lieu of appropriated water is claimed under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of reclaimed water used: Not Applicable

yr _____ (af/mg) yr _____ (af/mg) yr _____ (af/mg)
I have data to support the above surface water use reductions due to wastewater reclamation. YES _____ NO _____

3. Conjunctive use of surface water and groundwater

- a. Are you now using groundwater in lieu of surface water? YES _____ NO X.
- b. If credit toward use under a claimed pre 1914 appropriative right through substitution of groundwater in lieu of appropriated water is claimed under section 1011.5 of the Water Code, please show the amounts of groundwater used: Not Applicable

yr _____ (af/mg) yr _____ (af/mg) yr _____ (af/mg)
I have data to support the above surface water use reductions due to conjunctive use efforts. YES _____ NO _____

I understand that it may be necessary to document the water savings claimed in "F." above if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: 6/12, 2002 at JACKSON, California

SIGNATURE: Eugene F. Weatherby RCE 14774

PRINTED NAME: Eugene (first name) F (middle init.) Weatherby (last name)

COMPANY NAME: Weatherby-Reynolds Consulting Engineers

If there is insufficient space for your answers, please use the space provided below.

ITEM CONTINUATION

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or divert water which originates in a different watershed, water previously stored by others, return flows from use of groundwater, or other "foreign" water to the natural stream system.

An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914, new appropriators have been required to obtain a permit and license from the State. Appropriate rights can be granted to waters "foreign" to the natural stream system.

Statements of Water Diversion and Use must be filed by riparian and pre 1914 appropriative water users as set forth in Water Code section 5100 with specific exceptions. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.

"The energy challenge facing California is real. Every California needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at <http://www.swrcb.ca.gov>"

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

If the information below is inaccurate, please line it out in red and provide current information.
Notify this office if ownership or address changes occur during the coming year.

PLEASE COMPLETE AND RETURN THIS FORM BY JULY 1, 1999

OWNER OF RECORD: BERTHA FISCHER, DEWEY FISCHER

BERTHA FISCHER
8958 HWY 26
MOKELUMNE HILL, CA 95245

STATEMENT NO. 0004608

SOURCE: FOREST CREEK
TRIBUTARY TO: MIDDLE FORK MOKELUMNE RIVER
COUNTY: CALAVERAS
DIVERSION
WITHIN: SW $\frac{1}{4}$ OF NW $\frac{1}{4}$ SECTION 35, T4N, R14E, MB&M.

TELEPHONE NUMBER:
(209) 286-1378
YEAR OF FIRST USE: 1850
PARCEL NO:

A. Water is used under: Riparian claim ☒ Pre 1914 right ☐ Other (explain): ☐

B. Year of first use (Please provide if missing above) 1850

C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: Gallons ☐ Acre-feet ☒ Other ☐

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
1996					5	10	40	60	40	20			
1997					0	5	✓	-	✓	20			
1998					5	10	✓	✓	✓	20			

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation 40± acres; Stockwatering 40; Domestic

Other (specify):

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)
No change

F. Please answer only those questions below which are applicable to your project.

1. Conservation of water

a. Describe any water conservation efforts you may have started: None

b.

c. If credit toward beneficial use of water under claimed pre 1914 appropriative water right for water not used due to a conservation effort is claimed under section 1011 of the Water Code, please show the amounts of water conserved:

19 (af/mg) 19 (af/mg) 19 (af/mg)

2. Water quality and wastewater reclamation

a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES NO ☒

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS
P.O. BOX 2000, SACRAMENTO, CA 95812-2000
(916) 657-2170

- b. If credit toward use under a claimed pre 1914 appropriative water right through substitution of reclaimed water, desalinated water or polluted water in lieu of appropriated water is claimed under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of reclaimed water used:

19 _____ (af/mg) 19 _____ (af/mg) 19 _____ (af/mg)

3. Conjunctive use of surface water and groundwater

- a. Are you now using groundwater in lieu of surface water? YES _____ NO X
- b. If credit toward use under a claimed pre 1914 appropriative right through substitution of groundwater in lieu of appropriated water is claimed under section 1011.5 of the Water Code, please show the amounts of groundwater used:

19 _____ (af/mg) 19 _____ (af/mg) 19 _____ (af/mg)

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: 3/14, 19 99 at Mokelumne Hill, California

SIGNATURE: Eugene Weatherby

PRINTED NAME: Eugene (first name) J- (middle init.) Weatherby (last name)

COMPANY NAME: _____

If there is insufficient space for your answers, please use the space provided below.

ITEM CONTINUATION

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An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914, new appropriators have been required to obtain a permit and license from the State.

Statements of Water Diversion and Use must be filed by riparian and per 1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.

PLEASE COMPLETE, SUBMIT THE ORIGINAL AND MAKE A COPY FOR YOUR RECORDS ***

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

P.O. BOX 2000 SACRAMENTO, CA 95812-2000

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

STATEMENT NO: S004608
OWNER OF RECORD: BERTHA FISCHER

BERTHA FISCHER
8958 HWY 26
MOKELUMNE HILL, CA 95245

SOURCE: FOREST CREEK
TRIBUTARY TO: MIDDLE FORK MOKELUMNE RIVER
COUNTY: CALAVERAS
DIVERSION
WITHIN: SW¼ OF NW¼ SECTION 35, T4N, R14E, MDB&M.

TELEPHONE NUMBER:
(209) 286-1378
YEAR OF FIRST USE: 1850
PARCEL NO:

(If any of the above information is inaccurate or missing, please correct. Notify this office if ownership or address changes occur during the coming year.)

COMPLETE AND RETURN THIS FORM BY JULY 1, 1995

- A. Water is used under: Riparian claim ☒; Pre 1914 right _____; Other (explain) _____
- B. Year of first use (Please provide if missing above) 1850
- C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons ☒ Acre-feet ☐ (other) _____
Est

	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT.	OCT.	NOV.	DEC.	TOTAL ANNUAL
1992						20*	40*	60*	40*				
1993													
1994													

- D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.
Irrigation 30-40 acres; Stockwatering _____; Domestic _____
Other (specify) _____

* UNUSED & EXCESS WATER RETURNED TO FOREST CREEK

*** CONTINUE ON BACK PAGE ***

*** PLEASE COMPLETE, SUBMIT THE ORIGINAL AND MAKE A COPY FOR YOUR RECORDS ***

- E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

NO CHANGE

- F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

NONE

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: JUNE 17, 1995, at MOKELEWINE HILL, California

SIGNATURE: Eugene Weatherby - RCE 14774 LCE 3-31-97

PRINTED NAME: EUGENE WEATHERBY
(FIRST NAME) (LAST NAME)

COMPANY NAME: NONE - (SON-IN-LAW)

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

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An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914 new appropriators have been required to obtain a permit and license from the State.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include:

- "Statements of Water Diversion and Use"
- "Information Pertaining to Water Rights in California"
- "Water Rights for Stockponds Constructed Prior to 1969"
- "Appropriation of Water in California"

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS
P.O. Box 2000
Sacramento, CA 95812-2000

STATEMENT OF WATER DIVERSION AND USE
INFORMATION SHEET

STATEMENT NO. S 004608

DIVERSION SITE:

OWNER'S NAME BERTHA S FISCHER
(FIRST) (MIDDLE) (LAST)

PARCEL NO. _____

PLACE OF USE:

OWNER'S NAME SAME
(FIRST) (MIDDLE) (LAST)

1. PARCEL NO. _____

2. PARCEL NO. _____

3. PARCEL NO. _____

PERSON OR FIRM TO RECEIVE ALL CORRESPONDENCE AND SUPPLEMENTAL
STATEMENTS:

OWNER/LESSEE/AGENT/OTHER OWNER
NAME BERTHA S FISCHER
(FIRST) (MIDDLE) (LAST)

MAILING ADDRESS 8959 HWY 26
MOCKELMUNE HILL CA 95245
(CITY) (STATE) (ZIP)

TELEPHONE NO. (209) 286 - 1378

OTHERS USING ABOVE DIVERSION LOCATION:

1. NAME UNKNOWN
(FIRST) (MIDDLE) (LAST)

MAILING ADDRESS _____
(CITY) (STATE) (ZIP)

TELEPHONE NO. () -

2. NAME UNKNOWN
(FIRST) (MIDDLE) (LAST)

MAILING ADDRESS _____
(CITY) (STATE) (ZIP)

TELEPHONE NO. () -

☐ ADDITIONAL INFORMATION CONTINUED ON BACK OF PAGE OR ATTACHED

PLEASE USE THE OTHER SIDE TO PROVIDE THE ABOVE INFORMATION FOR
ADDITIONAL OWNERS OR PLACES OF USE AND CHECK THE ADDITIONAL
INFORMATION BOX.

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

If the information below is inaccurate, please line it out in red and provide current information.
Notify this office if ownership or address changes occur during the coming year.

PLEASE COMPLETE AND RETURN THIS FORM BY JULY 1, 1996.

OWNER OF RECORD: BERTHA FISCHER, DEWEY FISCHER

BERTHA FISCHER
8958 HWY 26
MOKELUMNE HILL, CA 95245

SOURCE: FOREST CREEK
TRIBUTARY TO: MIDDLE FORK MOKELUMNE RIVER
COUNTY: CALAVERAS
DIVERSION

STATE WATER RESOURCES
CONTROL BOARD
DIV. OF WATER RIGHTS
SACRAMENTO
96 MAY 30 PM 12:00
STATEMENT NO. S884608
TELEPHONE NUMBER:
(209) 286-1378
YEAR OF FIRST USE: 1850
PARCEL NO:

WITHIN: SW¼ OF NW¼ SECTION 35, T4N, R14E, MB&M.

A. Water is used under: Riparian claim X; Pre 1914 right _____; Other (explain) _____

B. Year of first use (Please provide if missing above) 1850

C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons ☒ Acre-feet ☐ (other) _____

ESTIMATES

	YEAR	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT.	OCT.	NOV.	DEC.	TOTAL ANNUAL
1993							20%	40%	60%	40%				
1994							"	"	"	"				
1995							10%	30%	60%	40%				

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation 40 +/- acres; Stockwatering _____; Domestic _____

Other (specify) _____

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

NO CHANGE

F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

NONE

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: 5/27, 19 96, at MOKELUMNE HILL, California

SIGNATURE: Eugene Weatherby

PRINTED NAME: EUGENE (FIRST NAME) WEATHERBY (LAST NAME)

COMPANY NAME: WEATHERBY/REYNOLDS CONSULTING ENGINEERS

See back of page for General Information. If there is insufficient space for your answers, please number them in the space provided on the back of this form.

CC: BERTHA FISCHER
RICHARD FISCHER

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
Division of Water Rights

P.O. BOX 2000 SACRAMENTO, CA 95810
901 P ST. SACRAMENTO, CA

(916) 322-4503

(916) 324-5676

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

1992 FEB 10 PM 3:00

DIV. OF WATER RIGHTS
SACRAMENTO

DIVERTER OF RECORD:

STATEMENT NO: 004608

DEWEY & BERTHA FISCHER
8958 HWY 26
MOKELUMNE HILL, CA 95245

TELEPHONE NUMBER:
(209) 286-1378

IF NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT.

SOURCE: FOREST CREEK

TRIBUTARY TO: MIDDLE FORK MOKELUMNE RIVER

COUNTY: CALAVERAS

DIVERSION

WITHIN: SW1/4 OF NW1/4 SECTION 35, T04N, R14E, MDB&M.

INSTRUCTIONS: Please complete Items A, B and C. Item D should be completed if you replaced all or part of your regular water supply with reclaimed or polluted water. RETURN THIS FORM BY JULY 1, 1992. (Additional information on reverse side of this form.)

A. Amount of Use - Fill in the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts ☐ Gallons
below are: ☐ Acre-feet
☐ _____ (other)

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
1989						✓	✓	✓	✓				
1990						✓	✓	✓	✓				
1991						✓	✓	✓	✓				

B. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation 20 acres - excess water returned to creek

Stockwatering

Domestic

Other (specify)

C. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

None

D. If part of the water listed in Part A consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: _____, 19____, at _____, California

Signature:

Mrs. Bertha Fischer

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the source of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, or return flows from use of groundwater.

An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914 new appropriators have been required to obtain a permit and license from the State.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include:

"Statements of Water Diversion and Use"

"Information Pertaining to Water Rights in California"

"Water Rights for Stockponds Constructed Prior to 1969"

"Appropriation of Water in California"

STATE OF CALIFORNIA
THE RESOURCES AGENCY
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS
STATEMENT OF WATER DIVERSION AND USE

S4608

This statement should be typewritten or legibly written in ink.

- A. Name of person diverting water Dewey J. & Bertha S. Fischer
Address Box 2, Mokelumne Hill, Calif., 95245
- B. Name of body of water at point of diversion Forest Creek TRIB. M.F. Mokelumne R.
Tributary to Mokelumne River
- C. Place of diversion SW 1/4 NW 1/4 Section 35, Township 7N, Range 14E, M.D. B&M, Calaveras County, or locate it on sketch of section grid on reverse side with regard to section lines or prominent local landmarks.
- D. Name of works none
- E. Capacity of diversion works 2 diversions (1.5 & 1.9 = 2.9) cubic feet per second
Capacity of storage reservoir none gallons
State quantity of water used each month in gallons or acre-feet
- | Year | Jan. | Feb. | Mar. | Apr. | May | June | July | Aug. | Sept. | Oct. | Nov. | Dec. | Total Annual |
|------|------|------|------|------|------|------|------|------|-------|------|------|------|--------------|
| '67 | - | - | - | - | 17.8 | 17.2 | 17.2 | 17.8 | 17.2 | 17.8 | - | - | 105.6 |
- If monthly and annual use are not known, check months in which water was used. State extent of use in units, such as acres of each crop irrigated, average number of persons served, number of stock watered, etc.
- Maximum annual water use in recent years 106.1 gallons
Minimum annual water use in recent years 100.2 gallons
Type of diversion facility: gravity ☒, pump
Method of measurement: weir, flume, electric power meter, ☒ water meter, ☒ estimate
* Gurney current meter.
- F. Purpose of use (what water is being used for) 30.2 acres irrigated pasture
2.20 persons, 4 horses, 5.200 head of cattle.
- G. General description or location of place of use (use sketch of section grid on reverse side if you desire).
See sketch on reverse
- H. Year of first use as nearly as known Early 1850's Mining
Early 1870's Changed to ranching.
- I. Name of person filing statement Owner
Position Owner Organization
Address Same as above

I certify that the foregoing statements are true and correct to the best of my knowledge and belief.

Date signed August 16 - 1968

Signature

Dewey J. Fischer
Bertha S. Fischer

WRCB 40 (12-67)

See Instructions on Reverse Side

Stream Code 5-116-02-100-0

16222-007 11-67 1000 0-00P